

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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ANTOINE BOUSLEY,

Plaintiff,

v.

BONNIE POLLEY, *et al.*,

Defendants.

Case No.: 2:22-cv-00769-APG-EJY

ORDER

Before the Court is Plaintiff's Notice Regarding Service of Process and Request for Alternative of Process. ECF No. 50. In his Notice, Plaintiff correctly points out that he submitted the "summons USM-285 [and] it was returned for lack of address," which was a clear error by the Clerk's Office as Plaintiff was only required to provide information he had available. ECF No. 46. Thus, the USM-285 should not have been returned. Thereafter there was a second error by the Clerk's Office when they issued the summons to Bonnie Polley (ECF No. 47), not the trustee of her estate, which address was provided to the Court on May 9, 2023, by Defendants. ECF No. 44. Indeed the Court's May 10, 2023 Order made clear that the summons to be issued was to the trustee for the estate of deceased Defendant Bonnie Polley. ECF No. 46. The Order also instructed the U.S. Marshal Service to take necessary action to attempt service on the Trustee. *Id.*

None of the errors that occurred in this case are Plaintiff's errors. The Clerk of Court is to take care to ensure they comply with the Court's Order below.

IT IS HEREBY ORDERED that Plaintiff's Notice Regarding Service of Process and Request for Alternative Process (ECF No. 50) is GRANTED.

IT IS FURTHER ORDERED that the Clerk of Court **must** issue a summons for the Trustee for the estate of deceased Defendant Bonnie Polley. The address was provided under seal by Defendant at ECF No. 44.

1 IT IS FURTHER ORDERED that the Clerk of Court **must** deliver the summons together
2 with a copy of each of the following documents: the Court's Screening Order (ECF No. 4); and
3 Plaintiff's Complaint (ECF No. 5) so that the U.S. Marshal may commence an attempt to serve the
4 Trustee.

5 IT IS FURTHER ORDERED that the U.S. Marshal Service **must** take all action necessary
6 to attempt service on the Trustee of the summons, Plaintiff's Complaint, and the Court's Screening
7 Order, no later than **fifteen days** after receipt of these documents by the Clerk's Office.

8 Dated this 9th day of June, 2023.

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11 ELAYNA J. YOUCHAH
12 UNITED STATES MAGISTRATE JUDGE
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